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Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane, Room 1061
Rockville, MD 20852

Re: Docket Numbers **98N-1230; 96P-0418; 97P-0197**

United Poultry Concerns appreciates this opportunity to respond to the request for comments concerning the development of an action plan to address the presence of *Salmonella enteritidis* in shell eggs and egg products using a farm-to-table approach with a view to protecting the public specifically by reducing the number of foodborne illnesses associated with SE in shell eggs and egg products. United Poultry Concerns is a national nonprofit public education organization incorporated in the state of Maryland.

United Poultry Concerns is requesting that the Food and Drug Administration use its jurisdiction to ban farm practices that injure human health by compromising the welfare of farmed animals. Specifically, in April of 1998, United Poultry Concerns and the Association of Veterinarians for Animal Rights petitioned the Food and Drug Administration to prohibit the forced molting of poultry based on the fact that the forced molting practice of withholding food from birds has been shown to promote the development and spread of *Salmonella enteritidis* (SE) in the birds and their eggs (Docket No. **98P-0203/CP1**).

The Food and Drug Administration must do more than put bacteria warning labels on egg cartons and regulate egg temperatures. The Food and Drug Administration has a responsibility to implement information showing that the stress of food deprivation impairs hens' immune systems making them susceptible to SE and other pathogens. If the FDA is truly committed to public health, to prevention of transmissible diseases from poultry to humans, and to meaningful interventions at the farm level, it will ban forced molting without further delay.

Forced Molting Promotes SE Infection and the Spread of Diseases.

According to Dr. Bernie Beckman and Dr. Doug Grieve, "Influence of Disease on Egg Quality," *Egg Industry*, June 1999: "Reduced feed and water intake is the most detrimental and universal aspect of disease" in hens used for egg production (p. 10).

According to Gary D. Butcher, DVM and Richard Miles, PhD, "Salmonella Control and Molting of Egg-Laying Flocks--Are They Compatible," *University of Florida Cooperative Extension Service* (Fact Sheet VM 92, July 1994): "The stress resulting from an

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induced molt significantly depresses the cellular immune response in laying hens and will increase the severity of a concurrent intestinal SE infection. Molted birds shed significantly higher numbers of SE during a forced molt as compared to unmolted birds. The ceca and colon of the molting hens also have more severe inflammation than non-molted birds. . . . **No matter what specific or combination of factors are involved in causing increased susceptibility of laying hens to SE infection, the fact remains that laying hens undergoing a forced molt by feed removal are under stress and are more likely to become salmonella shedders as compared to non-molted hens."**

Egg producers agree that forced molting is a primary cause of SE.

World Poultry-Misset, Vol. 12, No. 9, 1996, a poultry and egg trade magazine, cites the work of Peter S. Holt, USDA immunologist, SE Poultry Research Lab in Athens, Georgia, documenting that **"While unmolted hens usually have to ingest about 50,000 Salmonella cells to become infected, molted hens need fewer than 10.** Once infected, molted hens shed far more germs in their faeces than unmolted birds and are more likely to lay contaminated eggs. Moreover, Salmonella spread through the air among the molted birds, despite the conventional wisdom that this germ infects animals solely through ingestion of contaminated faeces. This finding argues that farmers should find less stressful ways to increase egg production. . . . (p. 19).

The General Accounting Office Report to the Honorable Richard J. Durbin, U.S. Senate, July 1999, on *Food Safety, U.S. Lacks a Consistent Farm-to-Table Approach to Egg Safety (GAO/RCED-99-184)* states on page 25, "[R]esearch at Pennsylvania egg producers during the early 1990s identified several factors that may increase bacterial levels and chicken contamination. These factors included heavy rodent populations, older flocks, and forced molting" (p. 25).

In "Administration wants to cut Se Illnesses by half in five years," *Food Chemical News*, August 30, 1999, pp. 16-18, **states:** "Opponents of the practice [of forced molting] cite its cruelty to the birds and its clear safety hazards, arguing that it should be banned. **Industry groups recognize the dangers, but say it is an economic issue.**" According to Al Wenger, a Pennsylvania Egg Producer, "If we aren't allowed to molt in Pennsylvania, but you are allowed to molt in Virginia [for example], we're at a disadvantage. **We need a national uniform standard**" (pp. 16-17).

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It should be emphasized that while Pennsylvania egg producers have identified forced molting as a primary cause of SE, the Pennsylvania Egg Quality Assurance Program (PEQAP) has not implemented its findings by eliminating the harmful practice. Instead of eliminating a primary cause of SE, PEQAP has chosen to invest its financial and other resources merely in sample testing of manure of force-molted flocks. In fact, PEQAP does not even require manure tests of forced molted flocks until **"five to seven weeks following return to feed"** (PEQAP: *Egg Quality and Safety from Farm to Market Brochure*, Revised January 1999).

While the egg industry complains about the economic disadvantages it could incur as a result of eliminating the starvation of hens, it meanwhile is investing a large amount of money and the federal government is spending taxpayers' money to mask and circumvent a disease-causing practice instead of eliminating it. And while the egg industry invokes possible "increased cost to the consumer" of eliminating forced molting, at the same time it is funding and proclaiming the benefits of pasteurization technologies, **a process that "adds 35 to 40 percent to the cost of a dozen eggs"** (*USA Today*, July 15, 1999, 7D).

Ergo: If the egg industry is willing to add 35 to 40 percent to the cost of a dozen eggs to pay for countertechnologies and marketing strategies, it can, by the same token, add such costs as might be incurred by eliminating forced molting, if such costs exist. One way or another, whether these extra costs are real or hypothetical, uniform national standards prohibiting forced molting by the Food and Drug Administration will create a level playing field and eliminate this excuse.

Contaminated eggs are already costing the consumer considerable money. Cost to the consumer of eggs and egg products must take into account such expenses as are cited in the General Accounting Office's 1999 Report to Senator Durbin. According to the GAO Report: "Illnesses and deaths from *Salmonella* Enteritidis cost the nation approximately \$225 million to \$3 billion in 1996." Though not all SE infections were linked to eggs, "between 1985 and 1998, when a cause could be identified, over three-quarters of *Salmonella* Enteritidis outbreaks were linked to eggs, according to the Centers for Disease Control and Prevention" (p. 1).

Add to the above the fact that food-deprived hens are forced to pluck and consume the contaminated feathers of their cage mates in order to drive off hunger and obtain nutrients, just as the National Turkey Federation notes that food-deprived turkeys are driven to eat *Salmonella*-contaminated litter, and the need to

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eliminate and prohibit the inhumane, disease-causing practice of food deprivation is clear. (See *Avian Diseases*, 1995, 39:248 re: force-molted hens observed eating SE contaminated feathers. See *Food Chemical News*, July 26, 1999, p. 25, re: the June 18 technology seminar hosted by the NTF where it was noted that food-deprived turkeys "look for other food sources during feed withdrawal, eating litter when they are hungry.")

Conclusion: The Food and Drug Administration should establish a prevention-based approach to reducing and eliminating *Salmonella enteritidis*. As SE has been causally linked to forced molting as a primary cause of the pathogen at the farm level, affecting hens, oviducts, their eggs, and consumers of commercial eggs and egg products, this inhumane practice should be prohibited. SE does not just cause acute food poisoning. In addition to severe abdominal pain, fever, headache, and vomiting, SE "can also lead to more severe conditions, such as bloodstream infections, arthritis, and meningitis," as noted on page 3 of the GAO Report to Senator Durbin. According to James L. Smith, USDA-ARS Microbial Food Safety Research, in the October 1996 issue of *Agricultural Research*, "People who have had bacterial food poisoning may have potential for illness other than just the temporary inconvenience of diarrhea and vomiting: 'Certain individuals may suffer chronic joint diseases, such as reactive arthritis, after being infected with bacteria ingested with food'" (p. 16). One wonders how many people who develop arthritis later in life incur this crippling disease as a result of having eaten eggs contaminated with *Salmonella* derived from farm practices such as forced molting.

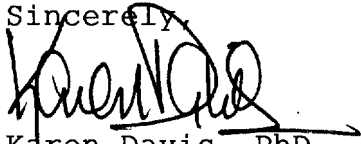
In August 1998, Patricia Stolfa, USDA/FSIS wrote to United Poultry Concerns: "FSIS recognizes that public health concerns are raised by highly stressful forced molting practices. For example, extended starvation and water deprivation practices lead to increased shedding of *Salmonella enteritidis* (Se) by laying hens subjected to these practices. Therefore, in an effort to reduce human illnesses caused by Se, FSIS is encouraging poultry and egg producers to eliminate forced molting practices and adopt alternatives that reduce public health risks" (August 21, 1998).

The Food and Drug Administration has the authority, which it should exercise in the name of public health, to prohibit the forced molting of laying hens, and the withholding of food from poultry in general, because the practice has been shown to be a primary cause of transmissible diseases, including *Salmonella enteritidis*, originating at the farm level. This is what we are urging the Food and Drug Administration to do without further delay.

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Thank you very much again for the opportunity to submit our
comments on these Docket Numbers.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen Davis', with a long horizontal flourish extending to the right.

Karen Davis, PhD

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CROSS FILE SHEET

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HEALTH AND HUMAN SERVICES
FOOD AND DRUG ADMINISTRATION
CROSS REFERENCE SHEET

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